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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IYO, INC.,

Case No. 3:25-cv-04861

**Plaintiff,**

VS

IO PRODUCTS, INC., OPENAI, INC.,  
OPENAI, LLC, SAM ALTMAN and SIR  
JONATHAN PAUL IVE

## Defendants

**DECLARATION OF HANNAH WONG IN  
SUPPORT OF DEFENDANTS'  
OPPOSITION TO MOTION FOR  
ORDER TO SHOW CAUSE RE  
CONTEMPT**

Judge: Hon. Trina L. Thompson  
Hearing: September 9, 2025 at 10 am

## **DECLARATION OF HANNAH WONG**

I, Hannah Wong, declare:

1. I am the Chief Communications Officer of OpenAI. I make this declaration in support of Defendants' Opposition to Motion for Order to Show Cause Re Contempt. The facts stated in this declaration are true and correct based on my personal knowledge, and if called and sworn in as a witness, I could and would testify competently to those facts.

2. On May 21, 2025, OpenAI announced the impending merger between OpenAI and Ilya Products, Inc. (the “May 21 announcement”). The May 21 announcement included a video embedded in it. Neither the May 21 announcement nor the video marketed or sold any products.

10           3. On June 20, 2025, OpenAI received and reviewed the Court’s order granting Plaintiff  
11        iyO, Inc.’s Motion for Temporary Restraining Order (the “TRO”). The TRO states that Defendants  
12        may not use “io” “in connection with the marketing or sale of related products.”

13           4. On June 20, 2025, after receiving the TRO, OpenAI removed the May 21  
14 announcement from its website, as well as the video embedded in that announcement, which had  
15 linked to OpenAI’s YouTube channel, while evaluating the scope of permissible references to the  
16 “io” name the TRO allowed.

17        5. Following the removal of the original written and video announcements, OpenAI  
18 received numerous press inquiries as to whether the merger between OpenAI and io Products, Inc.  
19 would still proceed, and learned of speculation on social media that it would not.

20        6. To address any misconceptions, OpenAI published a statement that the  
21 announcement had been removed as the result of a court order following a trademark complaint  
22 from iyO about use of the name “io.”

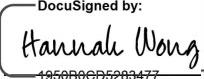
23           7. On July 9, 2025, the date the merger was finalized, OpenAI posted a revised  
24 statement confirming that the merger had occurred. The purpose of the revised announcement was

1 to put to rest any concerns about the status of the merger, and publicly announce that the merger had  
2 closed, as is standard and expected in the industry. OpenAI did not repost the video or any modified  
3 version of it. Although the May 21 announcement did not market or sell any products, nonetheless,  
4 OpenAI revised the July 9, 2025 statement to avoid any suggestion that it was marketing or selling  
5 any products in connection with the name “io.” To that end:

- 6 a. The announcement changed the initial “io” reference to the corporate name  
7 of “io Products, Inc.,” a company which I understand has never sold any  
8 products or offered any products for sale.
- 9 b. The two references to “io” without its full corporate name unambiguously  
10 refer to the company io Products, Inc., not to any products it is selling or  
11 marketing, because products are not “founded” and do not have “vision and  
12 values.”
- 13 c. The reference to the future products the “new team” is working to develop  
14 states that the products will “inspire, empower and enable.” In my  
15 experience, such a reference would not be viewed as marketing or sale of a  
16 product. It was not intended to hint at what a product might look like or what  
17 it will be called. Instead, it was a statement intended to reflect the team’s  
18 values.
- 19 d. The reference to io’s “ambitions to develop, engineer and manufacture a new  
20 family of products” was removed.

21 8. OpenAI has at all times sought to comply with the TRO and will take necessary steps  
22 to continue complying with it as long as it remains in effect.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct. Executed this 24th day of July, 2025, at Belmont, California.

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4 DocuSigned by:  
By:   
Hannah Wong  
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